

Receipt

#75



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jeffrey A. Colborn

Application No.: 09/930,394

Filed: August 15, 2001

For: **METAL FUEL CELL SYSTEM FOR
PROVIDING BACKUP POWER TO
ONE OR MORE LOADS**

Art Unit: 1745

Examiner: Unassigned

?

TRANSMITTAL OF MISSING PARTS

ATTN: Box Missing PartsCommissioner for Patents
Washington, D.C. 20231

Sir:

In response to the **Notice to File Missing Parts of Non-Provisional Application** mailed August 22, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- Petition for Extension of Time under 37 C.F.R. § 1.136;
- Copy of the Notice to File Missing Parts;
- Original Combined Declaration and Power of Attorney executed by the inventor;
- Assignment of the invention to METALLIC POWER, INC., (together with PTO Form 1595);
- Copy of Filing Receipt with corrections to be made; and
- Return postcard.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached hereto) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

September 27, 2001

Date of Deposit

Maritza O'Neill

Name of Person Mailing Paper

Signature of Person Mailing Paper



Howrey Docket No. 04813.0018.NPUS00

The fees due are calculated as follows:

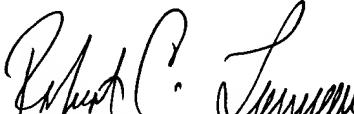
Filing Fee for Patent Application (37 C.F.R. § 1.16)	\$355.00
Fee for excess claims over 20 (37 C.F.R. § 1.16)	279.00
Fee for excess Independent Claims	80.00
Surcharge for Multiple Dependent Claims	135.00
Surcharge for late filing of Declaration (37 C.F.R. § 1.16)	65.00
Assignment Recordation Fee	40.00
Extension of time fees under 37 C.F.R. § 1.13	0.00
TOTAL FEES SUBMITTED HEREWITH	\$954.00

The U.S. Patent and Trademark Office is hereby authorized to charge \$954.00 to our Deposit Account No. **08-3038**, referencing Docket No. 04813.0018.NPUS00. A duplicate copy of this transmittal is enclosed.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. **08-3038**.

If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. **08-3038**.

Respectfully submitted,



Robert C. Laurenson, Reg. No. 34,206

Date: September 27, 2001

HOWREY SIMON ARNOLD & WHITE, LLP
301 Ravenswood Avenue, **Box No. 34**
Menlo Park, CA 94025
FAX No. (858) 622-5199
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JF3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/930,394	08/15/2001	Jeffrey A. Colborn	04813.0018.NPUS00

27240
 HOWREY SIMON ARNOLD & WHILE LLP - SD
 301 RAVENSWOOD AVENUE
 MENLO PARK, CA 94025

CONFIRMATION NO. 9188

FORMALITIES LETTER



OC000000006460375

Date Mailed: 08/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$494.
 - \$279 for 31 total claims over 20.
 - \$80 for 2 independent claims over 3 .
 - \$135 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 914.**

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 370.00
 65.00
 84.00
 279.00
 140.00

10/03/2001 100001

 01 FC:201
 02 FC:205
 03 FC:202
 04 FC:203
 05 FC:204
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

#4



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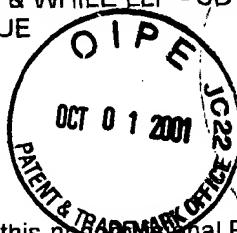
APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/930,394	08/15/2001	1745	0.00	04813.0018.NPUS00	4	43	5

27240
 HOWREY SIMON ARNOLD & WHILE LLP - SD
 301 RAVENSWOOD AVENUE
 MENLO PARK, CA 94025

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AUG 27 2001

Howrey - SV



CONFIRMATION NO. 9188

FILING RECEIPT



OC000000006460374

Date Mailed: 08/22/2001

Receipt is acknowledged of this non-provisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Cardiff-by-the-Sea

Jeffrey A. Colborn, Residence Not Provided;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/22/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Metal fuel cell system for providing backup power to one or more loads

Preliminary Class

429

Data entry by : ROBEL, ROMAN

Team : OIPE

Date: 08/22/2001